



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

**NEATH PORT TALBOT COUNCIL
SOCIAL SERVICES, HOUSING AND COMMUNITY SAFETY
CABINET BOARD**

21st September 2023

Report of the Head of Adult Services – Angela Thomas

Matter for Decision

Wards Affected All Wards

**COMMISSIONING OF CARE AND SUPPORT SERVICES FOR
THREE SUPPORTED LIVING SCHEMES**

Purpose of the Report

To obtain Member approval to undertake a procurement exercise for the provision of care and support within three Supported Living Schemes and for the Head of Adult Services to receive delegated authority to enter into a contract with the winning bidder.

Executive Summary

This report sets out a proposal to undertake a procurement exercise in order to appoint an experienced provider to deliver care and support services to a number of people with a mental health and/or learning disability within a Supported Living Scheme.

Background

Neath Port Talbot Council (“the Council”) have identified that there are a number of people with a mental health and/or learning disability diagnosis currently in Residential placements who have been identified for move on to less restrictive models of care. The individuals identified

would benefit from the development of supported living accommodation to support their progression.

First Choice Housing Association (FCHA) are looking to develop three supported living schemes in order to provide a wider range of housing options for people with mental ill health.

The proposal is for the development of three properties that will provide shared living for three people. The schemes would offer 24 hour support by on-site staff to people that have an assessed need for that level of support.

If any necessary planning applications by FCHA for the development is agreed and the construction is taken forward, there would be a need for Officers to commission a suitably experienced provider to deliver the care and support to those that would move into the accommodation. As such, it is proposed that if the development goes ahead, Officers undertake a procurement exercise to commission a provider to deliver the required care and support to those housed in the Supported Living Scheme.

Providers wishing to be considered for this opportunity will be evaluated based on their quality and cost, in order to identify which bidder will offer the most economically advantageous tender. The bidder offering the most economical advantageous tender will be awarded the contract to deliver the care and support within the Supported Living Scheme for a period of up to eight years.

Financial Impacts

The budget for Mental Health 2023-2024 financial year is £4,152,010.

It is not possible to indicate the financial impact of this proposal until the services have been tendered and the Council has evaluated the bids. The procurement process will ensure that the Council contracts with a provider that is able to offer best value for money, taking into account both the quality and cost of the bidder's submissions.

Integrated Impact Assessment

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016). The first stage impact assessment has indicated that a more in-depth assessment was required.

An overview of the Integrated Impact Assessment has been included below in summary form only and it is essential that Members read the Integrated Impact Assessment, which is attached to the report at Appendix 1 for the purposes of the meeting.

Equalities Impact - Overall there will be more positive or neutral impacts than negative. Any potential negative impacts can be mitigated.

The proposal will have a positive impact on people with a mental health and/or learning disability as the service will be personalised and will support people that move into the scheme to achieve greater levels of independence. The service will increase the range of accommodation and support options for people with a mental health and/or learning disability.

As the accommodation is one bedroom with shared living space, it will mean that the service will no longer be suitable to meet a person's needs due to maternity. However, if the person continues to have eligible care and support needs that requires social services intervention, a new service will be identified in partnership with the person that would better meet their needs. Moving from the scheme may be unsettling for the person, however this would be taken into account when supporting the person to move into a different service.

The proposal will have a neutral impact on people with other protected characteristics as eligibility to receive a service is not based on other protected characteristic(s) and the service will be person centred

based on the persons care plan and as such will be responsive to any requirements that a person has by virtue of their protected characteristic(s).

The tender process will ensure that a suitably experienced provider delivers the service (i.e. experienced is delivering services to people with disabilities). The contract will have clauses relating to ensuring compliance with the relevant equalities legislation. In addition the procurement process includes questions regarding equalities legislation.

The service will be monitored by the Common Commissioning Unit and the Unit will also analyse any complaints and safeguarding referrals regarding the scheme to identify if there are any concerns regarding the service having a negative impact on people with a protected characteristic. The provider will also be required to implement their own monitoring systems, which will also help to identify if any aspect of the service has led to unintended/unidentified negative impacts

All staff delivering the service will receive equality and diversity training.

Socio- Economic Impact - Will have a positive impact as people will be supported to access eligible benefits and also supported, where appropriate, to access education, employment or volunteering opportunities. In addition people will be supported to make healthy lifestyle choices, including nutrition, exercise and social activities. This will help improve their socio-economic status.

Community Cohesion/ Social Exclusion/Poverty Impact - Will have a positive impact as the community based nature of the Service will help people to access community services and be active members of their local community. In addition people will be supported to access eligible benefits and also supported, where appropriate, to access education, employment or volunteering opportunities.

Welsh Language Impact - Will have a positive impact as the contract

will obligate the provider to deliver the service in the residents chosen first language.

Biodiversity Impact - Not applicable for the proposal to commission a care and support service.

Well-being of Future Generations Impact - Will have a positive impact on the five ways of working under the Well-being of Future Generation Act as the undertaking of a procurement process will ensure the delivery of services that improve the well-being of adults who live in the county borough.

Valleys Communities Impacts

No implications.

Workforce Impacts

No implications.

Legal Impacts

It is anticipated that the contract value will exceed the threshold of £663,540 for the Light Touch Regime set out in the Public Contract Regulations 2015. In addition the Council must comply with its own Contract Procedure Rules which apply to the letting of contracts.

Under the Public Contract Regulations 2015, the Council is obliged to act in an open fair and transparent manner, ensuring that contract opportunities for such social care services are advertised to reach a wide market in order to encourage competition and to ensure equal treatment of all bidders. As such, the Council is required to undertake a competitive procurement exercise for the service in accordance with the Light Touch Regime under Public Contract Regulations 2015 and its Contract Procedure Rules. The tender process to be undertaken will comply with relevant legislative and procedural requirements.

Risk Management Impacts

The winning bidder will be required to submit a contract mobilisation plan to ensure a smooth transfer of the Service. The implementation of this mobilisation plan will be monitored by Officers within the Common Commissioning Unit.

In addition, Case Managers will put in place an engagement plan to support people to prepare for the move and to help people transition into the scheme. As part of this plan the Council will commission some additional hours of support for the first few weeks (number of weeks will be dependent on the needs of the individual resident) to help ensure that they have all the support they need to settle into their new home.

Crime and Disorder Impacts

Section 17 of the Crime and Disorder Act 1998 places a duty on the Council in the exercise of its functions to have “due regard to the likely effect of the exercise of those functions on and the need to do all that it reasonably can to prevent:

- a) Crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment);
- b) The misuse of drugs, alcohol and other substances in its area; and
- c) Re-offending the area”.

There is no impact under the Section 17 of the Crime and Disorder Act 1998.

Counter Terrorism Impacts

The report has no impact on the duty to prevent people from being drawn into terrorism.

Violence Against Women, Domestic Abuse and Sexual Violence Impacts:

Section 2(1) of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 introduced a general duty where a

person exercising relevant functions must have regard (along with all other relevant matters) to the need to remove or minimise any factors which:

- (a) increase the risk of violence against women and girls, or
- (b) exacerbate the impact of such violence on victims.

The report has no impact on the above duty.

Consultation

There is no requirement for external consultation on this item.

The Social Services and Wellbeing (Wales) Act 2014 places importance on commissioners promoting coproduction of service design with those that use services. Commissioners will make arrangements to ensure that those who move into the Supported Living Scheme are able to influence the design of the service and that those who may wish to be part of the procurement evaluation are able to do so.

Recommendations

Having had due regard to the integrated impact assessment, it is recommended that if FCHA are granted the relevant planning permissions and take forward the construction of the accommodation, agreement is given for:

- a. The undertaking of a procurement exercise to commission care and support services to people living in the Supported Living Schemes.
- b. Following the procurement process, for the Head Adult Services to be granted delegated authority to enter into a contract with the bidder evaluated as offering the most economically advantageous tender (taking into account the quality and cost of the bids), for the provision of care and support to people residing in the Supported Living Schemes.

Reasons for Proposed Decision

Undertaking a procurement exercise for the delivery of care and support services within the Supported Living Schemes will ensure that the Council is legally compliant when purchasing these services. In addition, this will ensure that the Council is best placed to continue meeting the needs and demands of those that require these services through the purchasing of high quality and financially sustainable services.

Implementation of Decision

The decision is proposed for implementation after the three day call in period.

Appendices

Appendix 1: Integrated Impact Assessment.

List of Background Papers

None.

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